

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18622 of 2015

Abdul Bari Ansari, son of Late Abdul Razzaque, resident of village - Paroo
Tola Manjhaulia South P.O. and P.S.- Paroo and District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Secretary, Education Department, Bihar, Patna.
3. District Education Officer, Muzaffarpur.
4. District Extension Officer, Muzaffarpur.
5. District Panchayat Officer, Muzaffarpur.
6. Mukhia, Zafarpur Panchayat, Muzaffarpur.
7. District Education Employment Appellate Tribunal, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mohammed Abu Haidar, Advocate Mr. Md. Abu Shajar, Advocate
For the Respondent/s	:	Mr. Amar Nath Deo, SC-26 Mr. Sajid Salim Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-03-2024 1. The petitioner has filed the instant application praying for quashing the order dated 8.6.2012 passed by the District Teachers Appointment Appellate Authority, Muzaffarpur whereby the Case no.188 of 2010 of the petitioner was dismissed for non-prosecution.

2. Learned counsel for the petitioner submits that inspite of the petitioner having pursued his case diligently before the authority concerned for more than 1 year, the petitioner was not having knowledge of the date fixed in the



case and on account of his non-appearance, the case was dismissed without going into the merits of the case of the petitioner.

3. Having heard learned counsel for the parties and taking into consideration the materials on record and the submissions made, the order dated 8.6.2012 passed by the District Teachers Appointment Appellate Authority, Muzaffarpur is set aside and the Case no.188 of 2010 is restored to its original file.

4. The petitioner shall appear before the Appellate Authority along with a copy of this order on 18.3.2024 when he shall be intimated the next date fixed in Case no.188 of 2010.

5. The Appellate Authority shall decide the case on its own merits in accordance with law at the earliest.

6. It is made clear that this Court has not gone into the merits of the case of the petitioner which is to be decided by the authority concerned.

7. The writ application stands allowed with the above observations and directions.

(Partha Sarthy, J)

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